
EXHIBIT 5

Alicia Cary-Howell

From: Halima Shukri Ndai
Sent: Thursday, February 16, 2023 4:43 PM
To: Mark Scott; John Lahad; Cohen, Justin S (DAL - X61211)
Cc: Team-Purdue-ST; Hatcher, Michael D.; Bettinger, Mike; Melissa Copp; STPurdueHKService; Max Ciccarelli; Thom Tarnay
Subject: RE: Purdue v. STMicroelectronics, No. 6:21-cv-727-ADA (W.D. Tex.)--Discovery Dispute Chart for the Court's Resolution

Mr. Scott,

At the February 8, 2023 hearing, the Court ordered the parties to meet and confer on the issues below and provide an update.

Purdue December 23rd Letter: The parties have agreed as follows:

1. Interrogatory No. 2 – Resolved. ST will update sales information for SiC MOSFET products by March 10th.
2. Interrogatory 15 – Resolved. ST provided a supplemental response confirming there are no ST engineers on the organizational chart for the group that developed the accused products who attended Purdue on Feb. 15th.
3. Interrogatory 17 – Resolved. ST will provide a supplemental response for the lead applications engineers for top three customers of SiC MOSFETs on Feb. 22nd.
4. Requests for Production 15, 16, & 17 – Resolved.
5. Requests for Production 8, 9, 11, 21, & 23 – Resolved.
6. Requests for Production 30, 32, 34, 35, 36, 40, 41, and 56-61 – The parties are still discussing these requests. The parties do not need the Court's assistance at this time.
7. Interrogatory No. 13 – Unresolved. This issue will be addressed by a forthcoming dispute chart compelling a Rule 30(b)(6) deposition on topics related to ST's ERP system.

ST December 30 Email Issue 2: The parties resolved this dispute. Plaintiff agreed to perform a reasonable search for and produce by March 10, 2003, to the extent found, any papers, presentations, or the like from Michael Capano, James Cooper, Chao-Yang Lu, Mark Lundstrom, Michael Melloch, Dallas Morisette, and Asmita Saha (1) from before the filing date of the application that issued as the '633 patent that (2) relate to (a) SiC power MOSFETs and/or (b) JFET width or base contact configuration in power MOSFETs, regardless of semiconductor material. Production of any such documents does not constitute an admission that the document qualifies as prior art and does not relieve ST of its burden to prove same if disputed.

ST January 25 Email Issue 1: The parties resolved this dispute. Plaintiff agreed to provide an updated invention disclosure this week.

ST January 25 Email Issue 2: The parties resolved this dispute as follows – Plaintiff represented that its reasonably diligent search for the signed and dated copy of the Saha thesis proposal included asking Dr. Saha for the copy she stated she had at her deposition, and she confirmed she did not, in fact, have any copies of her thesis proposal.

Best,



Halima Shukri Ndai

The Shore Firm
Bank of America Plaza
901 Main Street, Suite 3300, Dallas, Texas 75202
214-593-9116 (Direct) | 214-593-9110 (Firm)
www.shorefirm.com

From: Mark Scott <Mark_Scott@txwd.uscourts.gov>

Sent: Thursday, February 16, 2023 4:14 PM

To: John Lahad <jlahad@SusmanGodfrey.com>; Cohen, Justin S (DAL - X61211) <Justin.Cohen@hklaw.com>

Cc: Team-Purdue-ST <Team-Purdue-ST@shorefirm.com>; Hatcher, Michael D. <mhatcher@sidley.com>; Bettinger, Mike <mbettinger@sidley.com>; Melissa Copp <Melissa_Copp@txwd.uscourts.gov>; STPurdueHKService <STPurdueHKService@hklaw.com>; Max Ciccarelli <Max@CiccarelliLawFirm.com>; Thom Tarnay <ttarnay@tarnaylaw.com>; Halima Shukri Ndai <hndai@shorefirm.com>

Subject: RE: Purdue v. STMicroelectronics, No. 6:21-cv-727-ADA (W.D. Tex.)--Discovery Dispute Chart for the Court's Resolution

CAUTION: External Email!

That is fine. Thank you.



Mark J. Scott

Law Clerk to the Honorable Derek T. Gilliland
U.S. District Court, Western District of Texas
Office: **254-340-6151**

From: John Lahad <jlahad@SusmanGodfrey.com>

Sent: Wednesday, February 15, 2023 5:43 PM

To: Mark Scott <Mark_Scott@txwd.uscourts.gov>; Cohen, Justin S (DAL - X61211) <Justin.Cohen@hklaw.com>

Cc: Team-Purdue-ST <Team-Purdue-ST@shorefirm.com>; Hatcher, Michael D. <mhatcher@sidley.com>; Bettinger, Mike <mbettinger@sidley.com>; Melissa Copp <Melissa_Copp@txwd.uscourts.gov>; STPurdueHKService <STPurdueHKService@hklaw.com>; Max Ciccarelli <Max@CiccarelliLawFirm.com>; Thom Tarnay <ttarnay@tarnaylaw.com>; hndai <hndai@shorefirm.com>

Subject: RE: Purdue v. STMicroelectronics, No. 6:21-cv-727-ADA (W.D. Tex.)--Discovery Dispute Chart for the Court's Resolution

CAUTION - EXTERNAL:

Mr. Scott:

I write to follow up on last week's hearing. First, attached please find a proposed order memorializing the Court's rulings at the hearing. Second, the parties are working on an update to the Court in accordance with its guidance at the hearing. That has taken longer than anticipated and the parties respectfully request one additional day to submit that update. We are available at the Court's convenience to address any questions or concerns.

Thank you.

Respectfully,

John P. Lahad

Partner | Susman Godfrey LLP

Houston | New York | Los Angeles | Seattle
713.653.7859 (o) 713.725.3557 (m)

From: Mark Scott <Mark.Scott@txwd.uscourts.gov>

Sent: Wednesday, February 8, 2023 8:42 AM

To: John Lahad <jlahad@SusmanGodfrey.com>; Cohen, Justin S (DAL - X61211) <Justin.Cohen@hklaw.com>

Cc: Team-Purdue-ST <Team-Purdue-ST@shorefirm.com>; Hatcher, Michael D. <mhatcher@sidley.com>; Bettinger, Mike <mbettinger@sidley.com>; Melissa Copp <Melissa.Copp@txwd.uscourts.gov>; STPurdueHKService <STPurdueHKService@hklaw.com>; Max Ciccarelli <Max@CiccarelliLawFirm.com>; Thom Tarnay <ttarnay@tarnaylaw.com>; hndai <hndai@shorefirm.com>

Subject: RE: Purdue v. STMicroelectronics, No. 6:21-cv-727-ADA (W.D. Tex.)--Discovery Dispute Chart for the Court's Resolution

EXTERNAL Email

Yes, of course. Just let us know who will be attending (if any) and we will distribute a new zoom link that is used for in-person hearings. Thanks



Mark J. Scott

Law Clerk to the Honorable Derek T. Gilliland
U.S. District Court, Western District of Texas
Office: **254-340-6151**

From: John Lahad <jlahad@SusmanGodfrey.com>

Sent: Wednesday, February 8, 2023 7:50 AM

To: Mark Scott <Mark.Scott@txwd.uscourts.gov>; Cohen, Justin S (DAL - X61211) <Justin.Cohen@hklaw.com>

Cc: Team-Purdue-ST <Team-Purdue-ST@shorefirm.com>; Hatcher, Michael D. <mhatcher@sidley.com>; Bettinger, Mike <mbettinger@sidley.com>; Melissa Copp <Melissa.Copp@txwd.uscourts.gov>; STPurdueHKService <STPurdueHKService@hklaw.com>; Max Ciccarelli <Max@CiccarelliLawFirm.com>; Thom Tarnay <ttarnay@tarnaylaw.com>; hndai <hndai@shorefirm.com>

Subject: RE: Purdue v. STMicroelectronics, No. 6:21-cv-727-ADA (W.D. Tex.)--Discovery Dispute Chart for the Court's Resolution

CAUTION - EXTERNAL:

Mr. Scott:

May counsel appear in-person this afternoon?

Thank you.

Best,

John P. Lahad

Partner | Susman Godfrey LLP

Houston | New York | Los Angeles | Seattle
713.653.7859 (o) 713.725.3557 (m)

From: Mark Scott <Mark.Scott@txwd.uscourts.gov>

Sent: Tuesday, February 7, 2023 9:55 AM

To: Cohen, Justin S (DAL - X61211) <Justin.Cohen@hklaw.com>

Cc: Team-Purdue-ST <Team-Purdue-ST@shorefirm.com>; Hatcher, Michael D. <mhatcher@sidley.com>; Bettinger, Mike <mbettinger@sidley.com>; Melissa Copp <Melissa.Copp@txwd.uscourts.gov>; STPurdueHKService <STPurdueHKService@hklaw.com>; Max Ciccarelli <Max@CiccarelliLawFirm.com>; Thom Tarnay <ttarnay@tarnaylaw.com>; hndai <hndai@shorefirm.com>

Subject: RE: Purdue v. STMicroelectronics, No. 6:21-cv-727-ADA (W.D. Tex.)--Discovery Dispute Chart for the Court's Resolution

EXTERNAL Email

Good morning,

Due to a scheduling conflict, the Court will hear these disputes (and the Motion to Quash) **tomorrow at 2:45PM**.

We thank the parties for their flexibility on getting this one set.

Best,
Mark



Mark J. Scott

Law Clerk to the Honorable Derek T. Gilliland
U.S. District Court, Western District of Texas
Office: **254-340-6151**

From: Cohen, Justin S (DAL - X61211) <Justin.Cohen@hklaw.com>

Sent: Thursday, February 2, 2023 6:51 PM

To: Mark Scott <Mark.Scott@txwd.uscourts.gov>

Cc: Team-Purdue-ST <Team-Purdue-ST@shorefirm.com>; Hatcher, Michael D. <mhatcher@sidley.com>; Bettinger, Mike <mbettinger@sidley.com>; Melissa Copp <Melissa.Copp@txwd.uscourts.gov>; STPurdueHKService <STPurdueHKService@hklaw.com>; Max Ciccarelli <Max@CiccarelliLawFirm.com>; Thom Tarnay <ttarnay@tarnaylaw.com>; hndai <hndai@shorefirm.com>

Subject: RE: Purdue v. STMicroelectronics, No. 6:21-cv-727-ADA (W.D. Tex.)--Discovery Dispute Chart for the Court's Resolution

CAUTION - EXTERNAL:

Dear Mark - I am representing the third-parties (Tesla, SpaceX, and Sanmina) and will be handling the argument for ST Customers' Motion to Quash (Dkt. 213). Unfortunately, I am out of town and will be returning on Tuesday, so I cannot attend the hearing on Monday. Can we schedule the argument for just that motion to another day that is convenient for the Court? If the Court wants to hear that motion next week, we request to schedule it for Wednesday or later. The remainder of the issues and dispute charts can be heard at Monday's hearing.

Thank you very much for your assistance.

Best Regards,

~Justin

Justin S. Cohen | Holland & Knight

Direct 214.969.1211 | Cell 214.605.1993

[Add to address book](#) | [View professional biography](#)

From: Cohen, Justin S (DAL - X61211) <Justin.Cohen@hklaw.com>

Sent: Thursday, February 2, 2023 4:11 PM

To: Mark Scott <Mark.Scott@txwd.uscourts.gov>

Cc: Team-Purdue-ST <Team-Purdue-ST@shorefirm.com>; Hatcher, Michael D. <mhatcher@sidley.com>; Bettinger, Mike <mbettinger@sidley.com>; Melissa Copp <Melissa.Copp@txwd.uscourts.gov>; STPurdueHKService <STPurdueHKService@hklaw.com>; Max Ciccarelli <Max@CiccarelliLawFirm.com>; Thom Tarnay <ttarnay@tarnaylaw.com>; hndai <hndai@shorefirm.com>

Subject: RE: Purdue v. STMicroelectronics, No. 6:21-cv-727-ADA (W.D. Tex.)--Discovery Dispute Chart for the Court's Resolution

Dear Mark - I expect the arguments regarding the motion to quash filed by third parties Tesla, SpaceX, and Sanmina will involve confidential materials.

Thank you,

~Justin

Justin S. Cohen | Holland & Knight

Direct 214.969.1211 | Cell 214.605.1993

[Add to address book](#) | [View professional biography](#)

From: Halima Shukri Ndai <hndai@shorefirm.com>

Sent: Thursday, February 2, 2023 3:29 PM

To: Mark Scott <Mark.Scott@txwd.uscourts.gov>; Melissa Copp <Melissa.Copp@txwd.uscourts.gov>

Cc: Team-Purdue-ST <Team-Purdue-ST@shorefirm.com>; Cohen, Justin S (DAL - X61211) <Justin.Cohen@hklaw.com>; Hatcher, Michael D. <mhatcher@sidley.com>; Bettinger, Mike <mbettinger@sidley.com>; STPurdueHKService <STPurdueHKService@hklaw.com>; Max Ciccarelli <Max@CiccarelliLawFirm.com>; Thom Tarnay <ttarnay@tarnaylaw.com>

Subject: RE: Purdue v. STMicroelectronics, No. 6:21-cv-727-ADA (W.D. Tex.)--Discovery Dispute Chart for the Court's Resolution

[External email]

Mr. Scott

The pending issues for the Court's resolution are as follows:

1. Dispute Chart Regarding December 23rd Letter: ST's Responses to ROGs 2, 11, 12, 13, 15, 16, 17, 23-23, 25, 28 and RFPs 6, 15, 16, 17, 19, 28, 28(2), 30, 32, 34, 35, 36, 40, 41, 56-61
2. Dispute Chart Regarding Jan 25 Email: Updated Invention Disclosure & Dr. Saha Thesis Proposal
3. Dispute Chart Regarding December 30 Email: Inventors' Lab Notebooks, Publications, and Analysis, Testing and/or Reverse Engineering
4. ST Customers' Motion to Quash (Dkts. 213 [missing from public docket], 221, 227).

Attached please find the three dispute charts and associated exhibits grouped together, as well as the briefing for the Motion to Quash. Plaintiff's dispute chart has been reformatted.

Please let us know if you have any questions or need anything else.

Respectfully,



Halima Shukri Ndai

The Shore Firm
Bank of America Plaza
901 Main Street, Suite 3300, Dallas, Texas 75202
214-593-9116 (Direct) | 214-593-9110 (Firm)
www.shorefirm.com

From: Mark Scott <Mark.Scott@txwd.uscourts.gov>

Sent: Thursday, February 2, 2023 11:42 AM

To: Halima Shukri Ndai <hndai@shorefirm.com>; Melissa Copp <Melissa.Copp@txwd.uscourts.gov>

Cc: Team-Purdue-ST <Team-Purdue-ST@shorefirm.com>; Cohen, Justin S (DAL - X61211) <Justin.Cohen@hklaw.com>; Hatcher, Michael D. <mhatcher@sidley.com>; mbettinger@sidley.com; STPurdueHKService <STPurdueHKService@hklaw.com>; max@ciccarellilawfirm.com; ttarnay <ttarnay@tarnaylaw.com>

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CAUTION: External Email!

Thanks all. We will set this for a zoom hearing next week hearing (although parties are welcome to attend however they want). Please just let Ms. Copp (cc'd here) know.

Could the parties resend everything in one email with a list of all issues they would like to address? Also, can Plaintiff please resend their attachment in the form of a chart, as we have done in this case before?

Thanks,
Mark



Mark J. Scott

Law Clerk to the Honorable Derek T. Gilliland
U.S. District Court, Western District of Texas
Office: **254-340-6151**

From: Halima Shukri Ndai <hndai@shorefirm.com>

Sent: Thursday, February 2, 2023 8:07 AM

To: Mark Scott <Mark.Scott@txwd.uscourts.gov>

Cc: Team-Purdue-ST <Team-Purdue-ST@shorefirm.com>; Cohen, Justin S (DAL - X61211) <Justin.Cohen@hklaw.com>; Hatcher, Michael D. <mhatcher@sidley.com>; mbettinger@sidley.com; STPurdueHKService <STPurdueHKService@hklaw.com>; max@ciccarellilawfirm.com; ttarnay <ttarnay@tarnaylaw.com>

Subject: Purdue v. STMicroelectronics, No. 6:21-cv-727-ADA (W.D. Tex.)--Discovery Dispute Chart for the Court's Resolution

CAUTION - EXTERNAL:

Dear Mr. Scott,

The Parties submit this email to request the Court's assistance in resolving the discovery disputes summarized in the attached document. Purdue respectfully requests a hearing. No confidential information will be involved.

Please let us know if the Court needs any additional information.

Respectfully,



Halima Shukri Ndai

The Shore Firm
Bank of America Plaza
901 Main Street, Suite 3300, Dallas, Texas 75202
214-593-9116 (Direct) | 214-593-9110 (Firm)
www.shorefirm.com

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